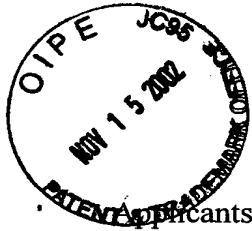
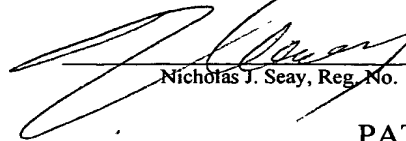


I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 2327, Arlington, Virginia 22202.

Date of Signature and Deposit: November 12, 2002




Nicholas J. Seay, Reg. No. 27,386
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan D. Attie
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Date: November 12, 2002

Serial No.: 09/704,272

Group Art Unit: 1647

Filed: 11/01/2000

Examiner: Sandra L. Wegert

For: CHOLESTEROL TRANSPORT GENE

File No.: 960296.96668

RESPONSE

Commissioner For Patents
P O Box 2327
Arlington, VA 22202

Dear Sir:

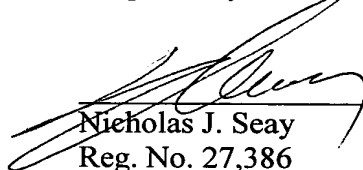
By an Office Action dated September 12, 2002 in the file of this application the Examiner had imposed a requirement for restriction on the above-identified application. In response to that requirement, the applicants respond herewith as follows.

In response to the requirement for restriction of the Examiner, the applicants elect the claims of Group I. However, the applicants respectfully traverse this requirement and request that it be reconsidered.

All of the claims contained in Groups I through VI of the present application all involve methods. All of those methods are related to inhibition of the activity of a gene known as ABC1 and methods for testing cholesterol lowering agents. While these methods vary somewhat in their language and limitations, they are all interlinked and a search for any one of these claims would inherently encompass the material relevant to any of the other of the claims. Accordingly, it is submitted that it is neither in the interest of the Office nor the applicants for a requirement for restriction this prolific to be imposed on the applicants. Accordingly, it is requested that this requirement for restriction be reconsidered.

A separate petition for extension of time for one month is submitted herewith so that this response will be considered as timely filed. Please charge the fee to Deposit Account No. 17-0055.

Respectfully submitted,



Nicholas J. Seay
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